

THE ATTORNEY GENERAL



STATE OF UTAH
STATE CAPITOL • SALT LAKE CITY 84114
(801) 328-5261

- VERNON B. ROMNEY
ATTORNEY GENERAL
- ROBERT B. HANSEN
DEPUTY ATTORNEY GENERAL

May 1, 1975

Mr. Omer J. Call
Attorney at Law
First Security Bank Building
Brigham City, Utah 84302

Re: Joe Taylor, Yost

Dear Omer:

This will acknowledge receipt of your letter of March 5, 1975, concerning the Winter stock watering use by Joe Taylor from George Creek. I am advised by the State Engineer that he has reviewed his files concerning this matter and has also reviewed the Court's files in Brigham City, and is unable to find an Order from Judge Jones allowing Mr. Taylor to use the waters of George Creek for stock watering purposes in the manner he claims to be entitled. In other words, the only Order which the State Engineer has concerning this matter is the one which was entered as a result of the Hearing on the General Adjudication of Water Rights on this system, and under that Order Mr. Taylor's stock watering right is secondary to the right of Mr. Wallace Spencer during the Winter months. However, I am advised by the State Engineer that the other users from George Creek have permitted Mr. Taylor to fill his stockwatering pond at certain times during the non-irrigation season, but since it appears that Mr. Taylor's right from this source is only represented by shares of stock in the George Creek Irrigation Co., any such use would be junior to the right of Wallace Spencer.

Therefore, I would appreciate it if you would review your files to determine if you have a copy of the Order to which you refer in your letter of March 5th. If so, I would very much appreciate your forwarding it to me, since the State Engineer is interested in seeing that Mr. Taylor gets the water to which he is entitled.

Yours sincerely,

DALLIN W. JENSEN
Assistant Attorney General

DWJ/jr